

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JASON P. BROWN,	:	
	:	Civil Action No. 08-5461 (NLH)
Plaintiff,	:	
	:	
v.	:	ORDER
	:	
J. POTTER, et al.,	:	
	:	
Defendants.	:	CLOSED

For the reasons expressed in the Opinion filed herewith,

IT IS on this 22nd day of July, 2009,

ORDERED that Plaintiff's application to proceed in forma pauperis is hereby granted pursuant to 28 U.S.C. § 1915(a) and (b); and it is further

ORDERED that the Clerk of the Court shall file the Complaint without prepayment of fees or security; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b), the Clerk shall serve a copy of this Order by regular mail upon the U.S. Attorney for the District of New Jersey and the warden of the Federal Correctional Institution at Fairton, New Jersey; and it is further

ORDERED that Plaintiff's requests for injunctive relief are DENIED; and it is further

ORDERED that all claims challenging the results of the disciplinary proceeding are DISMISSED WITHOUT PREJUDICE for failure to state a claim; and it is further

ORDERED that all claims challenging Plaintiff's placement in

administrative segregation during the investigation of the alleged disciplinary violation are DISMISSED WITH PREJUDICE; and it is further

ORDERED that within 30 days after entry of this Order, Plaintiff may file a motion to re-open and for leave to file an amended complaint, attaching to any such motion a proposed amended complaint addressing the deficiencies of the Complaint as described in the Opinion filed herewith; and it is further

ORDERED that this dismissal shall count as a "strike" for purposes of 28 U.S.C. § 1915(g); and it is further

ORDERED that Plaintiff is assessed a filing fee of \$350.00 which shall be deducted from Plaintiff's institutional account pursuant to 28 U.S.C. § 1915(b)(2) in the manner set forth below, regardless of the outcome of the litigation; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b)(2), until the \$350.00 fee is paid, each month that the amount in Plaintiff's prison account exceeds \$10.00, the agency having custody of Plaintiff shall assess, deduct from his institutional account, and forward to the Clerk payments equal to 20% of the preceding month's income credited to Plaintiff's institutional account, with each payment referencing the civil docket number of this action.

At Camden, New Jersey

/s/ NOEL L. HILLMAN
Noel L. Hillman
United States District Judge